

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION

KEVIN JOSEPH REESE,)	
Petitioner,)	
)	
v.)	
)	Civil No. 7:13-CV-058-O-BL
WILLIAM STEPHENS, Director,)	
Texas Department of Criminal Justice,)	
Correctional Institutions Division,)	
Respondent.)	

ORDER ACCEPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE

After making an independent review of the pleadings, files and records in this case, of the Report and Recommendation of the United States Magistrate Judge, and of Petitioner's objections thereto, I am of the opinion that the Report and Recommendation of the Magistrate Judge is correct and it is hereby adopted and incorporated by reference as the Findings of the Court.

The Court further finds that the new civil rights claims raised by Petitioner in his notice to the Court (ECF No. 12) and in his objections (ECF No. 13) to the Magistrate Judge's Report and Recommendation may be brought in the civil rights action previously severed from the instant case. *See Reese v. Director*, No. 7:13-CV-064-O-BL (N.D. Tex.). The Court will afford Reese an opportunity to amend his complaint in that case.

The Court notes that, in addition to lacking merit, the petition for writ of habeas corpus appears to be barred by the one-year statute of limitations. *See* 28 U.S.C. § 2244(d). Petitioner's step 2 grievance challenging the prison disciplinary action at issue in this case was denied on April

26, 2012. He mailed the instant petition on April 28, 2013, two days after the statutory limitation period expired.

Accordingly, the petition for writ of habeas corpus is DENIED.

SO ORDERED this 10th day of June, 2013.


Reed O'Connor
UNITED STATES DISTRICT JUDGE